

Message Text

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PAGE 01 USUN N 03572 01 OF 04 122052Z

ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 ACDA-12 SOE-02 AF-10 ARA-15

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P 122042Z SEP 78

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 3346

INFO AMEMBASSY BONN

USMISSION GENEVA

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION USNATO

AMEMBASSY PARIS

UNCLAS SECTION 01 OF 04 USUN NEW YORK 03572

E.O. 11652: N/A

TAGS: PARM, UNGA, UR

SUBJECT: SOVIETS REQUEST NEW UNGA AGENDA ITEM ON "AN
INTERNATIONAL CONVENTION ON THE STRENGTHENING OF
GUARANTEES OF THE SECURITY OF NON-NUCLEAR STATES"

1. UNDER COVER OF A SEPTEMBER 8 LETTER FROM GROMYKO
TO SYG WALDHEIM SOVIET ACTING PERMREP KHARLAMOV HAS
REQUESTED INCLUSION OF AN ADDITIONAL AGENDA ITEM
FOR 33RD UNGA ON RENEWED SOVIET INITIATIVE FOR
CONCLUSION OF CONVENTION INCORPORATING SOVIET POSITION
ON NEGATIVE SECURITY ASSURANCES (NON-USE OF NUCLEAR
WEAPONS AGAINST NON-NUCLEAR NPT PARTIES THAT HAVE NO
NUCLEAR WEAPONS ON THEIR TERRITORY). TEXT OF LETTER
AND DRAFT CONVENTION ARE BELOW. COMMENTS ON SOVIET
INITIATIVE FOLLOW SEPTTEL.

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PAGE 02 USUN N 03572 01 OF 04 122052Z

2. BEGIN TEXT OF GROMYKO COVER LETTER:

THE UNION OF SOVIET SOCIALIST REPUBLICS PROPOSES
THE INCLUSION OF AN ITEM ENTITLED "CONCLUSION OF AN
INTERNATIONAL CONVENTION ON THE STRENGTHENING OF
GUARANTEES OF THE SECURITY OF NON-NUCLEAR STATES" IN
THE AGENDA OF THE THIRTY-THIRD SESSION OF THE GENERAL

ASSEMBLY AS AN IMPORTANT AND URGENT QUESTION.

THE SOVIET UNION UNDERSTANDS THE DESIRE OF THE NON-NUCLEAR COUNTRIES TO BE GIVEN INTERNATIONAL LEGAL GUARANTEES BY THE NUCLEAR STATES THAT THEY WILL NOT USE NUCLEAR WEAPONS AGAINST THEM. FROM THE LOFTY ROSTRUM AT THE SPECIAL SESSION OF THE GENERAL ASSEMBLY ON DISARMAMENT, IT STATED THAT IT WOULD NEVER USE NUCLEAR WEAPONS AGAINST THOSE STATES WHICH REFUSED TO MANUFACTURE OR ACQUIRE SUCH WEAPONS AND DID NOT HAVE THEM IN THEIR TERRITORY.

THE SOVIET UNION BELIEVES THAT THOSE STATES WHICH REFUSE TO MANUFACTURE OR ACQUIRE NUCLEAR WEAPONS AND DO NOT ALLOW THEM TO BE PLACED IN THEIR TERRITORY ARE MAKING A SUBSTANTIAL CONTRIBUTION TO THE PREVENTION OF THE PROLIFERATION OF NUCLEAR WEAPONS AND THUS TO THE EASING, AND ULTIMATELY THE ELIMINATION, OF THE THREAT OF A NUCLEAR WAR, WHICH WOULD HAVE DEVASTATING CONSEQUENCES FOR MANKIND. SUCH STATES ARE ENTITLED TO HAVE THE NECESSARY GUARANTEES THAT NUCLEAR WEAPONS WILL NOT BE USED AGAINST THEM.

IT IS WELL KNOWN THAT SECURITY COUNCIL RESOLUTION 255 (1968), TOGETHER WITH THE GUARANTEES GIVEN IN IT TO NON-NUCLEAR COUNTRIES BY THE THREE NUCLEAR POWERS, WAS UNCLASSIFIED

UNCLASSIFIED

PAGE 03 USUN N 03572 01 OF 04 122052Z

INTENDED TO SERVE THE PURPOSE OF SAFEGUARDING THE SECURITY OF NON-NUCLEAR STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS. IT NOW APPEARS POSSIBLE AND ADVISABLE TO TAKE FURTHER STEPS TO STRENGTHEN THE SECURITY OF A WIDE CIRCLE OF NON-NUCLEAR STATES IN ACCORDANCE WITH THEIR WISHES IN THIS RESPECT.

THESE WISHES OF THE NON-NUCLEAR STATES FOR THE STRENGTHENING OF GUARANTEES OF THEIR SECURITY ARE ALL THE MORE UNDERSTANDABLE IF ONE TAKES INTO ACCOUNT THE FACT THAT THERE ARE STILL IN THE WORLD HOT-BEDS OF DANGEROUS TENSION AND CONFLICT, THAT NO DECISIVE STAGE HAS YET BEEN REACHED IN CURBING THE ARMAMENTS RACE, AND THAT STOCKS OF WEAPONS, INCLUDING NUCLEAR WEAPONS, ARE CONTINUING TO GROW STEADILY.

AS EARLY AS 1966, THE SOVIET UNION SPOKE OUT IN FAVOUR OF A TREATY PROHIBITING THE USE OF NUCLEAR WEAPONS AGAINST STATES WHICH HAD PLEDGED THEMSELVES TO RETAIN THEIR NON-NUCLEAR STATUS AND WHICH DID NOT HAVE NUCLEAR WEAPONS IN THEIR TERRITORY. AT THE PRESENT TIME, AS A RESULT OF A GENERALLY FAVOURABLE EVOLUTION IN THE

WORLD SITUATION, FURTHER PRECONDITIONS HAVE BEEN
ESTABLISHED FOR THE IMPLEMENTATION OF MEASURES TO
STRENGTHEN PEACE AND UNIVERSAL SECURITY, INCLUDING
MEASURES TO STRENGTHEN INTERNATIONAL LEGAL GUARANTEES OF
THE SECURITY OF NON-NUCLEAR STATES.

IT IS OBVIOUS THAT THE ADOPTION BY THE NUCLEAR
POWERS OF AGREED GUARANTEES IN THIS RESPECT
MIGHT PROVIDE A MORE COMPREHENSIVE AND MORE EFFECTIVE
SOLUTION TO THE PROBLEM OF PROTECTING THE NON-NUCLEAR
STATES FROM THE USE OF NUCLEAR WEAPONS AGAINST THEM.
THIS PURPOSE WOULD BE SERVED BY THE CONCLUSION OF AN
INTERNATIONAL CONVENTION TO WHICH, ON THE ONE HAND,
NUCLEAR-WEAPON STATES WHICH ARE PREPARED TO GIVE
UNCLASSIFIED

UNCLASSIFIED

PAGE 04 USUN N 03572 01 OF 04 122052Z

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PAGE 01 USUN N 03572 02 OF 04 122053Z
ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 ACDA-12 SOE-02 AF-10 ARA-15
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P 122042Z SEP 78

FM USMISSION USUN NEW YORK
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UNCLAS SECTION 02 OF 04 USUN NEW YORK 03572

APPROPRIATE GUARANTEES OF SECURITY TO NON-NUCLEAR
STATES AND, ON THE OTHER, INTERESTED NON-NUCLEAR STATES

WHICH REFUSE TO MANUFACTURE OR ACQUIRE NUCLEAR WEAPONS
AND WHICH DO NOT HAVE SUCH WEAPONS IN THEIR TERRITORY
WOULD BE PARTIES.

IN AN ENDEAVOUR TO INITIATE PRACTICAL ACTION ON
THIS MATTER, THE SOVIET UNION PROPOSES FOR THE CONSIDER-
ATION OF THE GENERAL ASSEMBLY A DRAFT INTERNATIONAL
CONVENTION ON THE STRENGTHENING OF GUARANTEES OF THE
SECURITY OF NON-NUCLEAR STATES.

THE SOVIET UNION IS CONVINCED THAT STATES MEMBERS
OF THE UNITED NATIONS WILL GIVE VERY SERIOUS CONSIDERA-
TION TO THE PROPOSAL OF THE SOVIET UNION ON FURTHER
MEASURES TO STRENGTHEN GUARANTEES OF THE SECURITY OF
NON-NUCLEAR STATES. THE SOVIET GOVERNMENT ALSO HOPES
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PAGE 02 USUN N 03572 02 OF 04 122053Z

THAT THE DRAFT INTERNATIONAL CONVENTION ATTACHED TO THIS
LETTER WILL ASSIST IN THE SOLUTION OF THIS PROBLEM.

I REQUEST YOU TO CONSIDER THIS LETTER AS AN
EXPLANATORY MEMORANDUM, AS REQUIRED UNDER RULE 20 OF THE
RULES OF PROCEDURE OF THE GENERAL ASSEMBLY, AND TO
CIRCULATE IT, TOGETHER WITH THE ATTACHED TEXT OF
A DRAFT INTERNATIONAL CONVENTION, AS AN OFFICIAL
DOCUMENT OF THE GENERAL ASSEMBLY.

END TEXT.

3. BEGIN TEXT OF DRAFT CONVENTION.

DRAFT INTERNATIONAL CONVENTION ON THE STRENGTHENING OF
GUARANTEES OF THE SECURITY OF NON-NUCLEAR STATES

THE STATES PARTIES TO THIS CONVENTION,

CONSCIOUS OF THE FACT THAT A NUCLEAR WAR WOULD HAVE
DEVASTATING CONSEQUENCES FOR ALL MANKIND,

PROMPTED BY A DESIRE TO TAKE ALL POSSIBLE STEPS TO
REDUCE AND ULTIMATELY TO ELIMINATE THE DANGER OF SUCH
A WAR,

WISHING TO CONTRIBUTE TO THE PREVENTION OF THE WIDER
PROLIFERATION OF NUCLEAR WEAPONS AND TO PROMOTE THE
CESSATION OF THE NUCLEAR ARMAMENTS RACE AND THE ADOPTION
OF EFFECTIVE MEASURES DIRECTED TOWARDS NUCLEAR DISARMA-
MENT,

WELCOMING THE DESIRE OF STATES IN VARIOUS REGIONS OF

UNCLASSIFIED

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PAGE 03 USUN N 03572 02 OF 04 122053Z

THE WORLD TO KEEP THEIR TERRITORIES FREE FROM NUCLEAR WEAPONS,

BEARING IN MIND THEIR OBLIGATIONS UNDER THE CHARTER OF THE UNITED NATIONS TO MAINTAIN PEACE, TO REFRAIN FROM THE THREAT OR USE OF FORCE AND TO LIVE IN PEACE WITH EACH OTHER AS GOOD NEIGHBOURS,

HAVING REGARD TO SECURITY COUNCIL RESOLUTION 255 (1968) OF 19 JUNE 1968, GENERAL ASSEMBLY RESOLUTION 2936 (XXVII) OF 29 NOVEMBER 1972 AND THE RELEVANT PROVISIONS OF THE FINAL DOCUMENT OF THE SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO DISARMAMENT OF 30 JUNE 1978, INCLUDING THE REQUEST MADE THEREIN THAT URGENT EFFORTS BE MADE TO CONCLUDE EFFECTIVE AGREEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THE THREAT OF USE OF NUCLEAR WEAPONS,

REGARDING GUARANTEES THAT NUCLEAR WEAPONS WILL NOT BE USED AGAINST NON-NUCLEAR STATES AS AN IMPORTANT MEANS OF STRENGTHENING PEACE AND UNIVERSAL SECURITY AND WISHING TO GIVE SUCH GUARANTEES AN INTERNATIONAL LEGAL CHARACTER,

HAVING AGREED AS FOLLOWS:

ARTICLE 1

THE NUCLEAR-WEAPON STATES PARTIES TO THIS CONVENTION PLEDGE THEMSELVES NOT TO USE OR THREATEN TO USE NUCLEAR WEAPONS AGAINST NON-NUCLEAR STATES PARTIES TO THIS CONVENTION WHICH REFUSE TO MANUFACTURE OR ACQUIRE NUCLEAR WEAPONS AND WHICH DO NOT HAVE NUCLEAR WEAPONS IN THEIR TERRITORY OR ANYWHERE UNDER THEIR JURISDICTION OR

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PAGE 01 USUN N 03572 03 OF 04 122055Z
ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 ACDA-12 SOE-02 AF-10 ARA-15

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P 122042Z SEP 78

FM USMISSION USUN NEW YORK

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INFO AMEMBASSY BONN

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UNCLAS SECTION 03 OF 04 USUN NEW YORK 03572

CONTROL, ON LAND, ON THE SEA, IN THE AIR OR IN OUTER
SPACE.

ARTICLE II

THE OBLIGATION SET FORTH IN ARTICLE I OF THIS
CONVENTION SHALL EXTEND NOT ONLY TO THE TERRITORY OF
NON-NUCLEAR STATES PARTIES, BUT ALSO TO THE ARMED
FORCES AND INSTALLATIONS UNDER THE JURISDICTION AND
CONTROL OF SUCH STATES WHEREVER THEY MAY BE, ON LAND,
ON THE SEA, IN THE AIR OR IN OUTER SPACE.

ARTICLE III

ANY STATE PARTY TO THIS CONVENTION WHICH HAS REASON
TO BELIEVE THAT THE ACTIONS OF ANY OTHER STATE PARTY
ARE CONTRARY TO THE PROVISION OF ARTICLES I AND II OF
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PAGE 02 USUN N 03572 03 OF 04 122055Z

THE CONVENTION MAY REQUEST THAT CONSULTATIONS BE HELD
BETWEEN THE STATES PARTIES WITH A VIEW TO CLARIFYING
THE ACTUAL CIRCUMSTANCES OF THE MATTER. SUCH A REQUEST
MUST INCLUDE ANY INFORMATION RELATING TO THE MATTER AND
ALSO ALL POSSIBLE EVIDENCE TO SUPPORT IT.

ARTICLE IV

1. THIS CONVENTION SHALL BE CONCLUDED FOR AN INDEFINITE
PERIOD OF TIME.

2. EACH PARTY TO THE CONVENTION SHALL, IN THE EXERCISE
OF ITS STATE SOVEREIGNTY, BE ENTITLED TO SECEDE FORM THE
CONVENTION IF IT DECIDES THAT EXCEPTIONAL CIRCUMSTANCES

RELATING TO THE CONTENT OF THE CONVENTION HAVE PLACED ITS HIGHER INTERESTS IN JEOPARDY. IT SHALL NOTIFY ALL THE PARTIES TO THE CONVENTION AND THE SECURITY COUNCIL OF THE UNITED NATIONS OF ITS SECESSION, GIVING THREE MONTHS' NOTICE. SUCH NOTIFICATION MUST INCLUDE A STATEMENT OF THE EXCEPTIONAL CIRCUMSTANCES WHICH IT REGARDS AS HAVING PLACED ITS HIGHER INTERESTS IN JEOPARDY.

ARTICLE V

1. ANY STATE PARTY TO THIS CONVENTION MAY PROPOSE AMENDMENTS TO THIS CONVENTION. THE TEXT OF EACH PROPOSED AMENDMENT MUST BE SUBMITTED TO THE DEPOSITARY, WHO SHALL IMMEDIATELY TRANSMIT IT TO ALL THE STATES PARTIES.

2. AN AMENDMENT SHALL ENTER INTO FORCE FOR EACH STATE PARTY TO THIS CONVENTION WHICH ACCEPTS THE UNCLASSIFIED

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PAGE 03 USUN N 03572 03 OF 04 122055Z

AMENDMENT AFTER THE DOCUMENTS CONCERNING ITS ACCEPTANCE HAVE BEEN DEPOSITED WITH THE DEPOSITARY BY THE MAJORITY OF STATES PARTIES. SUBSEQUENTLY, THE AMENDMENT SHALL ENTER INTO FORCE FOR EACH OF THE REMAINING STATES PARTIES ON THE DATE OF THE DEPOSIT BY THEM OF THE DOCUMENT CONCERNING ITS ACCEPTANCE.

ARTICLE VI

1. THIS CONVENTION IS OPEN FOR SIGNATURE BY ALL STATES. ANY STATE WHICH DOES NOT SIGN THE CONVENTION BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH PARAGRAPH 3 OF THIS ARTICLE MAY ACCEDE TO IT AT ANY TIME.

2. THIS CONVENTION IS SUBJECT TO RATIFICATION BY THE STATES WHICH HAVE SIGNED IT. THE INSTRUMENTS OF RATIFICATION OR THE DOCUMENTS CONCERNING ACCESSION SHALL BE DEPOSITED WITH THE SECRETARY GENERAL OF THE UNITED NATIONS, WHO IS HEREBY DESIGNATED THE DEPOSITARY.

3. THIS CONVENTION SHALL ENTER INTO FORCE FOLLOWING THE DEPOSIT OF THE INSTRUMENTS OF RATIFICATION BY ... STATES WHICH HAVE SIGNED THE CONVENTION, INCLUDING AT LEAST ... NUCLEAR-WEAPON STATES.

4. FOR STATES WHOSE INSTRUMENTS OF RATIFICATION OR DOCUMENTS CONCERNING ACCESSION ARE DEPOSITED AFTER THE ENTRY INTO FORCE OF THIS CONVENTION, THE CONVENTION SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF

THE INSTRUMENTS OF RATIFICATION OR DOCUMENTS CONCERNING
ACCESSION.

5. THE DEPOSITARY SHALL IMMEDIATELY NOTIFY ALL STATES
WHICH HAVE SIGNED OR ACCEDED TO THIS CONVENTION OF THE
DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH

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PAGE 01 USUN N 03572 04 OF 04 122055Z
ACTION IO-14

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P 122042Z SEP 78

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UNCLAS SECTION 04 OF 04 USUN NEW YORK 03572

INSTRUMENT OF RATIFICATION OR DOCUMENT CONCERNING
ACCESSION, THE DATE OF THE ENTRY INTO FORCE OF THIS
CONVENTION AND OF ANY AMENDMENTS THERETO, AND ALSO OF
THE RECEIPT BY HIM OF OTHER NOTIFICATIONS.

6. THIS CONVENTION SHALL BE REGISTERED BY THE DEPOSITARY
IN ACCORDANCE WITH ARTICLE 102 OF THE CHARTER OF THE
UNITED NATIONS.

ARTICLE VII

THIS CONVENTION, THE RUSSIAN, ARABIC, CHINESE, ENGLISH,
FRENCH AND SPANISH TEXTS OF WHICH ARE EQUALLY
AUTHENTIC, SHALL BE DEPOSITED WITH THE SECRETARY GENERAL
OF THE UNITED NATIONS, WHO SHALL DULY FORWARD CERTIFIED
COPIES OF THE CONVENTION TO THE GOVERNMENTS OF
THE STATES WHICH HAVE SIGNED OR ACCEDED TO THE CONVEN-

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PAGE 02 USUN N 03572 04 OF 04 122055Z

TION.

IN WITNESS WHEREOF, THE UNDERSIGNED, DULY AUTHORIZED
FOR THAT PURPOSE BY THEIR RESPECTIVE GOVERNMENTS, HAVE
SIGNED THIS CONVENTION, WHICH WAS OPENED FOR SIGNATURE
ON ...

END TEXT.

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